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April 2, 2008

VIA FAX

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Honorable Gerard E. Lynch
United States District Judge
United States Courthouse
500 Pearl Street, Room 910
New York, New York 10007-1581

RECEIVED
APR 3 2008

Re: Theresa McNeil v. The City of New York, et al., 07 CV 3852 (GEL)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department handling the defense of the above-referenced matter on behalf of defendants City of New York and the New York City Police Department.¹ I write on behalf of the parties in this action to respectfully request that (1) the Court enlarge the deadline for the parties to conduct discovery in this case by ninety days, from April 4, 2008 until July 3, 2008; (2) adopt defendants' proposed schedule concerning defendants' designation of experts and production of expert reports; and (3) in conjunction with the proposed new deadline for discovery, that the Court adjourn the status conference scheduled for April 11, 2008 at 11:30 a.m. until a later date convenient to the Court. Plaintiff's counsel, Thomas Donaldson, Esq., consents to these requests.]*

As Your Honor is aware, discovery is scheduled to close in this matter on April 4, 2008. To date, the parties have exchanged documents and defendants served plaintiff with discovery requests on December 14, 2007. Defendants received plaintiff's responses to their discovery requests on March 27, 2008. Plaintiff provided defendants with several medical releases, which we are currently processing; however, to date, we have not obtained these records. In order to assess plaintiff's claims, as well as the extent and nature of her alleged

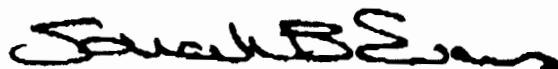
¹ Upon information and belief, the individual police officer named in the complaint, Sergeant Ko, has not been served with a copy of the summons and complaint in this action or requested legal representation from the Office of the Corporation Counsel, and therefore is not a defendant at this time

injuries, defendants require these records. Moreover, defendants require these medical records so that we can properly identify the type of expert, if any, that may be needed. Finally, we have requested that plaintiff provide two additional medical releases for providers from whom she claims she sought treatment and a release for her Insurance carrier records. Upon receipt of these additional releases from plaintiff, we will promptly forward them to each of the providers for processing. It is defendants' experience that it takes at least one month for the entities to process the releases and to provide this Office with the information requested. Given that the requested information is necessary for defendants to evaluate plaintiff's alleged damages and to fully prepare for plaintiff's deposition, defendants require additional time to obtain these documents and to conduct discovery in this case, which would include taking plaintiff's deposition and possible non-party depositions. Plaintiff's deposition was initially noticed for February 28, 2008, however because plaintiff had not responded to defendants' discovery requests, we did not proceed in taking plaintiff's deposition on that date.

Additionally, in light of the above, defendants respectfully request that the Court adopt a new schedule for defendants to designate experts and provide expert reports. Defendants respectfully request until June 3, 2008 for defendants to designate experts, and an additional two weeks thereafter, until June 18, 2008, to provide expert reports. Plaintiff's counsel consents to this request.]*

Accordingly, in view of the foregoing, it is respectfully requested that the Court grant the within requests to (1) enlarge the deadline for discovery until July 3, 2008, (2) adopt defendants' proposed schedule concerning defendants' designation of experts and production of expert reports; and (3) in conjunction with the proposed new deadline for discovery, to correspondingly adjourn the status conference scheduled for April 11, 2008 at 11:00 a.m. until a later date convenient to the Court. Thank you for your consideration herein.]*

Respectfully submitted, July 25, 2008, at 10:00 a.m.



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* Extensions granted as noted.
Further extensions will be disfavored. The parties are strongly urged to complete discovery expeditiously and to comply with these deadlines.

SO ORDERED


GERARD E. LYNCH, U.S.D.J.

4/3/08